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Agenda item 98

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/46/721)]

46/111. Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

The General Assembly,

Recalling its resolution 45/85 of 14 December 1990, as well as its other relevant resolutions,

Taking note of Commission on Human Rights resolution 1991/20 of 1 March 1991 1/ and recalling Economic and Social Council decision 1990/226 of 25 May 1990, by which the Council approved the recommendations of the Task Force on Computerization for computerizing the human rights treaty system, 2/

Reaffirming that the effective implementation of United Nations instruments on human rights is of major importance to the efforts made by the Organization, pursuant to the Charter of the United Nations and to the Universal Declaration of Human Rights, 3/ to promote universal respect for and observance of human rights and fundamental freedoms,

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1/ See Official Records of the Economic and Social Council, 1991, Supplement No. 2 (E/1991/22), chap. II, sect. A.

2/ See E/CN.4/1990/39, annex.

3/ Resolution 217 A (III).

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Considering that the effective functioning of treaty bodies established pursuant to United Nations instruments on human rights is indispensable for the full and effective implementation of such instruments,

Expressing concern about the continuing and increasing backlog of reports on implementation by States parties of United Nations instruments on human rights and about delays in consideration of reports by the treaty bodies,

Expressing further concern about the non-fulfilment by many States parties of their financial obligation under the relevant United Nations instruments on human rights,

Reaffirming its responsibility to ensure the proper functioning of treaty bodies established pursuant to instruments adopted by the General Assembly and, in this connection, further reaffirming the importance of:

(a) Ensuring the effective functioning of systems of periodic reporting by States parties to these instruments;

(b) Securing sufficient financial resources to overcome existing difficulties with the effective functioning of treaty bodies;

(c) Addressing the question of reporting obligations and that of financial implications whenever elaborating any further instruments on human rights;

Recalling the conclusions and recommendations of the second meeting of persons chairing the human rights treaty bodies, held at Geneva from 10 to 14 October 1988, 4/ and the endorsement of the recommendations aimed at streamlining, rationalizing and otherwise improving reporting procedures by the General Assembly in its resolution 44/135 of 15 December 1989 and the Commission on Human Rights in its resolution 1989/47 of 6 March 1989, 5/

Taking note of the reports of the Secretary-General 6/ on progress achieved in enhancing the effective functioning of the treaty bodies, pursuant, inter alia, to the conclusions and recommendations of the second meeting of persons chairing the human rights treaty bodies,

Taking particular note of the conclusions and recommendations of the third meeting of persons chairing the human rights treaty bodies, held at Geneva from 1 to 5 October 1990, 7/

4/ See A/44/98, sect.VII.

5/ See Official Records of the Economic and Social Council, 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A.

6/ A/44/539 and A/46/503.

7/ See A/45/636, annex.

Welcoming the study 8/ on possible long-term approaches to enhancing the effective operation of existing and prospective bodies established under United Nations instruments on human rights, prepared by an independent expert, pursuant to the above-mentioned resolutions,

Welcoming also the report of the Secretary-General 9/ examining the financial, legal and other implications of providing full funding for the operation of all human rights treaty bodies,

1. Endorses the conclusions and recommendations of the meetings of persons chairing the human rights treaty bodies aimed at streamlining, rationalizing and otherwise improving reporting procedures, and supports the continuing efforts in this connection by the treaty bodies and the Secretary-General within their respective spheres of competence;

2. Once again expresses its satisfaction with the study by the independent expert on possible long-term approaches to enhancing the effective operation of existing and prospective bodies established under United Nations instruments on human rights, which contains several recommendations on reporting and monitoring procedures, servicing and financing of supervisory bodies and long-term approaches to human rights standard-setting and implementation mechanisms, and which was presented to the Commission on Human Rights for detailed consideration at its forty-sixth session;

3. Requests the Secretary-General to give high priority to establishing a computerized database to improve the efficiency and effectiveness of the functioning of the treaty bodies;

4. Again urges States parties to make every effort to meet their reporting obligations and to contribute, individually and through meetings of States parties, to identifying and implementing ways of further streamlining and improving reporting procedures as well as enhancing coordination and information flow between the treaty bodies and with relevant United Nations bodies, including specialized agencies;

5. Welcomes the emphasis placed by the meetings of persons chairing the human rights treaty bodies and by the Commission on Human Rights on the importance of technical assistance and advisory services and, further to this end:

(a) Endorses the request of the Commission that the Secretary-General report regularly to it on possible technical assistance projects identified by the treaty bodies;

(b) Invites the treaty bodies to give priority attention to identifying such possibilities in the regular course of their work of reviewing the periodic reports of State parties;

6. Endorses the recommendations of the meetings of persons chairing the human rights treaty bodies on the need to ensure financing and adequate staffing resources for the operations of the treaty bodies and, with this in mind:

8/ See A/44/668, annex.

9/ A/46/650.

(a) Reiterates its request that the Secretary-General review the need for adequate staffing resources in regard to the various treaty bodies;

(b) Requests that the Secretary-General report on this question to the Commission on Human Rights at its forty-eighth session and to the General Assembly at its forty-seventh session;

7. Calls upon all States parties to meet fully and without delay their financial obligations under the relevant instruments on human rights, and requests the Secretary-General to consider ways and means of strengthening collection procedures and making them more effective;

8. Requests the Secretary-General, as a matter of priority, to consider administrative and budgetary measures to alleviate the current financial difficulties of the treaty bodies and thus guarantee their regular functioning and to report on these measures to the Commission on Human Rights at its forty-eighth session;

9. Emphasizes that any administrative and budgetary measures shall be provided without prejudice to the duty of States parties under United Nations human rights instruments to meet all their current and outstanding financial obligations pursuant to such instruments;

10. Requests the Secretary-General to submit to the General Assembly at its forty-seventh session a further report examining the financial, legal and other implications of providing full funding for the operation of all human rights treaty bodies;

11. Invites the States parties to the International Convention on the Elimination of All Forms of Racial Discrimination 10/ and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 11/ to consider, as a matter of priority, all possible measures for meeting the costs of implementing these treaties on a viable, guaranteed basis, including the amendment of the funding provisions of these treaties;

12. Endorses the recommendation, made in October 1990, of the third meeting of persons chairing the human rights treaty bodies, that the General Assembly should take appropriate measures to ensure the financing of each of the committees from the United Nations regular budget; 12/

13. Requests the Secretary-General to take appropriate steps in order to finance the biennial meetings of persons chairing the human rights treaty bodies from resources available from the regular budget of the United Nations;

10/ Resolution 2106 A (XX), annex.

11/ Resolution 39/46, annex.

12/ See A/45/636, annex, para.53.

14. Decides to give priority consideration at its forty-seventh session to the conclusions and recommendations of the meetings of persons chairing human rights treaty bodies, in the light of the deliberations of the Commission on Human Rights, under the item entitled "Human rights questions".

75th plenary meeting
17 December 1991